

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 695
99TH GENERAL ASSEMBLY

4709H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 8.003, 8.007, 8.015, 8.017, and 161.072, RSMo, and to enact in lieu thereof six new sections relating to boards and commissions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 8.003, 8.007, 8.015, 8.017, and 161.072, RSMo, are repealed and
2 six new sections enacted in lieu thereof, to be known as sections 8.003, 8.007, 8.015, 8.017,
3 161.026, and 161.072, to read as follows:

8.003. 1. The commission shall consist of ~~eleven~~ **fifteen** persons, as follows: the
2 commissioner of the office of administration; one member of the senate from the majority party,
3 **appointed by the president pro tempore of the senate** and one member of the senate from the
4 minority party, appointed by the ~~president pro tempore~~ minority leader of the senate; one
5 member of the house of representatives from the majority party, **appointed by the speaker of**
6 **the house of representatives** and one member of the house of representatives from the minority
7 party, appointed by the ~~speaker of the house of representatives~~ **minority leader of the house**
8 **of representatives**; one employee of the house of representatives appointed by the speaker of
9 the house of representatives and one employee of the senate appointed by the president pro
10 tempore; **two members of the general public appointed by the speaker of the house of**
11 **representatives and two members of the general public appointed by the president pro**
12 **tempore of the senate**; and four members appointed by the governor with the advice and
13 consent of the senate. The lieutenant governor shall be an ex officio member of the commission.

14 2. The legislative members of the commission shall serve for the general assembly
15 during which they are appointed and until their successors are selected and qualified.

16 3. The four members appointed by the governor, **the two members of the general**
17 **public appointed by the speaker of the house of representatives and two members of the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **general public appointed by the president pro tempore of the senate** shall be persons who
19 have knowledge and background regarding the history of the state, the history and significance
20 of the seat of state government, and the capitol but shall not be required to be professionals in
21 the subject area.

22 4. The terms of the four members appointed by the governor, **the two members of the**
23 **general public appointed by the speaker of the house of representatives, and the two**
24 **members of the general public appointed by the president pro tempore of the senate** shall
25 be four years and until their successors are appointed and qualified. Provided, however, that the
26 first term of ~~[three]~~ **five** public members shall be for two years, thereafter the terms shall be four
27 years. There is no limitation on the number of terms any appointed member may serve. If a
28 vacancy occurs, the governor may appoint a member for the remaining portion of the unexpired
29 term created by the vacancy. The governor may remove any member appointed by him or her
30 for cause. The members of the commission shall be reimbursed for travel and other expenses
31 actually and necessarily incurred in the performance of their duties by the office of
32 administration.

33 5. At the first meeting of the commission and at yearly intervals thereafter, the members
34 shall select from among themselves a chairman and a vice chairman.

35 6. The commission shall hold at least four regular meetings each year and such additional
36 meetings as the chairman deems desirable at a place and time to be fixed by the chairman.
37 Special meetings may be called by five members of the commission upon delivery of written
38 notice to each member of the commission. Reasonable written notice of all meetings shall be
39 given by the director to all members of the commission. Five members of the commission shall
40 constitute a quorum. All actions of the commission shall be taken at meetings open to the public.
41 Any member absent from six consecutive regular commission meetings for any cause whatsoever
42 shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with
43 subsection 1 of this section.

44 7. The commission shall provide a report to the governor and the general assembly
45 annually.

8.007. 1. The commission shall:

2 (1) Exercise general supervision of the administration of sections 8.001 to 8.007;

3 (2) Evaluate and approve capitol studies and improvement, expansion, renovation, and
4 restoration projects ~~[to be paid for with funds appropriated from the state capitol commission~~
5 ~~fund]~~ **including, but not limited to, the “21st-Century State Capitol Restoration Project”,**
6 **which includes, but is not limited to, the development and implementation of a**
7 **comprehensive master plan for the restoration, protection, risk management, and**
8 **continuing preservation of the capitol building, grounds, and any annex areas. For**

9 purposes of this section, "annex areas" shall mean the building currently occupied by the
10 Missouri department of transportation located at 105 West Capitol Avenue in Jefferson
11 City, if used to house members of the general assembly or legislative support staff, or any
12 new building constructed for such purposes;

13 (3) Exercise ongoing supervision and coordination of the capitol building, grounds,
14 and any annex areas;

15 ~~[(3)]~~ (4) Evaluate and recommend courses of action on the restoration and preservation
16 of the capitol, the preservation of historical significance of the capitol and the history of the
17 capitol;

18 ~~[(4)]~~ (5) Evaluate and recommend courses of action to ensure accessibility to the capitol
19 for physically disabled persons;

20 ~~[(5)]~~ (6) Advise, consult, and cooperate with the office of administration, the archives
21 division of the office of the secretary of state, the historic preservation program within the
22 department of natural resources, the division of tourism within the department of economic
23 development and the historical society of Missouri in furtherance of the purposes of sections
24 8.001 to 8.007;

25 ~~[(6)]~~ (7) Be authorized to cooperate or collaborate with other state agencies and not-for-
26 profit organizations to publish books and manuals concerning the history of the capitol, its
27 improvement or restoration;

28 ~~[(7) Before each September first, recommend options to the governor on budget~~
29 ~~allocation for improvements or restoration of the capitol premises]~~ (8) On or before October
30 first of each year, submit to the budget director and the general assembly estimates of the
31 requirements for appropriations for the capitol building, grounds, and any annex areas for
32 the year commencing on the following first day of July;

33 ~~[(8)]~~ (9) Encourage, participate in, or conduct studies, investigations, and research and
34 demonstrations relating to improvement and restoration of the state capitol it may deem
35 advisable and necessary for the discharge of its duties pursuant to sections 8.001 to 8.007;

36 ~~[(9)]~~ (10) Hold hearings, issue notices of hearings, and take testimony as the commission
37 deems necessary; and

38 ~~[(10)]~~ (11) Initiate planning efforts, subject to the appropriation of funds, for a centennial
39 celebration of the laying of the capstone of the Missouri state capitol.

40 2. The "State Capitol Commission Fund" is hereby created in the state treasury. Any
41 moneys received from sources other than appropriation by the general assembly, including from
42 private sources, gifts, donations and grants, shall be credited to the state capitol commission fund
43 and shall be appropriated by the general assembly.

44 3. The provisions of section 33.080 to the contrary notwithstanding, moneys in the
45 second capitol commission fund shall not be transferred and placed to the credit of the general
46 revenue fund. Moneys in the state capitol commission fund shall not be appropriated for any
47 purpose other than those designated by the commission.

48 4. The commission is authorized to accept all gifts, bequests and donations from any
49 source whatsoever. The commission may also apply for and receive grants consistent with the
50 purposes of sections 8.001 to 8.007. All such gifts, bequests, donations and grants shall be used
51 or expended upon appropriation in accordance with their terms or stipulations, and the gifts,
52 bequests, donations or grants may be used or expended for the preservation, improvement,
53 expansion, renovation, restoration and improved accessibility and for promoting the historical
54 significance of the capitol.

55 5. The commission may copyright or obtain a trademark for any photograph, written
56 work, art object, or any product created of the capitol or capitol grounds. The commission may
57 grant access or use of any such works to other organizations or individuals for a fee, at its sole
58 discretion, or waive all fees. All funds obtained through licensing fees shall be credited to the
59 capitol commission fund in a manner similar to funds the commission receives as gifts,
60 donations, and grants. The funds shall be used for repairs, refurbishing, or to create art, exhibits,
61 decorations, or other beautifications or adornments to the capitol or its grounds.

 8.015. The senate chamber, the senate committee rooms, the offices of the members of
2 the senate on the third and fourth floors of the state capitol building and all other rooms and
3 offices of the state capitol building designed for or assigned [~~by the board of public buildings~~]
4 **under section 8.007** to the use of the members and officers of the senate, and all furniture,
5 equipment and supplies therein, are reserved for the exclusive use of the members and officers
6 of the senate. These rooms, together with the furniture, equipment and supplies therein, are in
7 direct charge and control of the senate accounts committee. No use of any of said quarters other
8 than by the senate, its members or officers shall be made except with the written consent of the
9 senator or officer occupying the office rooms and upon the order of the accounts committee.

 8.017. The house chamber, the house committee rooms, the offices of the members of
2 the house on the third and fourth floors of the state capitol building and all other rooms and
3 offices of the state capitol building designed for or assigned [~~by the board of public buildings~~]
4 **under section 8.007** to the use of the members and officers of the house, and all furniture,
5 equipment and supplies therein, are reserved for the exclusive use of the members and officers
6 of the house of representatives. These rooms, together with the furniture, equipment and
7 supplies therein, are in direct charge and control of the house accounts committee. No use of any
8 of said quarters other than by the house of representatives, its members or officers shall be made

9 except with the written consent of the representative or officer occupying the office rooms and
10 upon the order of the accounts committee.

**161.026. 1. Notwithstanding the provisions of section 161.032 or any other
2 provision of law, the governor shall, by and with the advice and consent of the senate,
3 appoint a teacher representative to the state board of education, who shall attend all
4 meetings and participate in all deliberations of the board. The teacher representative shall
5 not have the right to vote on any matter before the board or be counted in establishing a
6 quorum under section 161.082.**

**7 2. The teacher representative shall be an active classroom teacher. For purposes
8 of this section, "active classroom teacher" means a resident of the state of Missouri who
9 is a full-time teacher with at least five years of teaching experience in the state of Missouri,
10 who is certified to teach under the laws governing the certification of teachers in Missouri,
11 and who is not on leave at the time of the appointment to the position of teacher
12 representative. The teacher representative shall have the written support of the local
13 school board or the governing body of a private or charter school prior to accepting the
14 appointment.**

**15 3. The term of the teacher representative shall be four years, and appointments
16 made under this section shall be made in rotation from each congressional district
17 beginning with the first congressional district and continuing in numerical order.**

**18 4. If a vacancy occurs for any reason in the position of teacher representative, the
19 governor shall appoint, by and with the advice and consent of the senate, a replacement for
20 the unexpired term. Such replacement shall be a resident of the same congressional district
21 as the teacher representative being replaced, shall meet the qualifications set forth under
22 subsection 2 of this section, and shall serve until his or her successor is appointed and
23 qualified.**

**24 5. If the teacher representative ceases to be an active classroom teacher, as defined
25 under subsection 2 of this section, or fails to follow the board's attendance policy, the
26 teacher representative's position shall immediately become vacant unless an absence is
27 caused by sickness or some accident preventing the representative's arrival at the time and
28 place appointed for the meeting.**

**29 6. The teacher representative shall receive the same reimbursement for expenses
30 as members of the state board of education receive under section 161.022.**

**31 7. At no time shall more than one nonvoting member serve on the state board of
32 education.**

33 8. The provisions of this section shall expire on August 28, 2026.

161.072. **1.** The state board of education shall meet semiannually in December and in
2 June in Jefferson City. Other meetings may be called by the president of the board on seven
3 days' written notice to the members. In the absence of the president, the commissioner of
4 education shall call a meeting on request of three members of the board, and if both the president
5 and the commissioner of education are absent or refuse to call a meeting, any three members of
6 the board may call a meeting by similar notices in writing. The business to come before the
7 board shall be available by free electronic record at least seven business days prior to the start
8 of each meeting. All records of any decisions, votes, exhibits, or outcomes shall be available by
9 free electronic media within forty-eight hours following the conclusion of every meeting. Any
10 materials prepared for the members of the board by the staff shall be delivered to the members
11 at least five days before the meeting, and to the extent such materials are public records as
12 defined in section 610.010 and are not permitted to be closed under section 610.021, shall be
13 made available by free electronic media at least five business days in advance of the meeting.

14 **2. Upon an affirmative vote of the members of the board who are present and who**
15 **are not teacher representatives, a given meeting closed under sections 610.021 and 610.022**
16 **shall be closed to the teacher representative.**

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